

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

FRENCH CHESTER MASON, JR.,	)	
TARA MICHELLE MILLIGAN, Mother Of	)	
French Chester Mason, Jr.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 1:23-cv-02148-TWP-TAB
	)	
JAMES KEVIN SNYDER, Presiding Judge,	)	
JENNIFER PRINZ HARRISON, Presiding Judge,	)	
RICHARD HAGENMAIER, Presiding Judge,	)	
JEFFREY LYNN MARCHAL, Presiding Judge,	)	
MARK D. STONER, Presiding Judge,	)	
KATE SWEENEY BELL, County Clerk of Court,	)	
RYAN MEARS, District Attorney,	)	
ROBERT HENDRY BEATSON,	)	
KATHERINE REBECCA MELNICK,	)	
	)	
Defendants.	)	

**ORDER STRIKING COMPLAINT AND MOTION FOR LEAVE TO PROCEED *IN*  
*FORMA PAUPERIS*, AND DIRECTING FURTHER PROCEEDINGS**

This matter is before the Court on a Motion for Leave to Proceed *in forma pauperis* purportedly filed by Plaintiffs Tara Michelle Milligan ("Ms. Milligan") and French Chester Mason, Jr. ("Mr. Mason") (Dkt. 2). This civil action was initiated by Ms. Milligan, who is the mother of Mr. Mason (*see* Dkt. 1). Mr. Mason is an Indiana Department of Correction inmate currently incarcerated at New Castle Correctional Facility. Ms. Milligan filed and signed the complaint. (Dkt. 1 at 5.) Mr. Mason did not sign the complaint. *Id.* Ms. Milligan also filed and signed the motion for leave to proceed *in forma pauperis*. (Dkt. 2.) For the reasons explained below, the Complaint must be **stricken** and leave to proceed *in forma pauperis* **denied**.

## I. COMPLAINT AND MOTION FOR *IN FORMA PAUPERIS*

In her pleading, under the statement of claim section, Ms. Milligan writes: "Bonds were filed in lower courts and courts did not honor the bonds and release French Chester Mason Jr from prison."<sup>1</sup> (Dkt. 1 at 5.) The Complaint alleges no claims pertaining to Ms. Milligan. In the motion for leave to proceed *in forma pauperis*, Ms. Milligan states Mr. Mason is "incapacitated [and] disabled." (Dkt. 2 at 5.) Therefore, the Court construes that Ms. Milligan is attempting to initiate this civil action on behalf of her son, Mr. Mason.

Ms. Milligan does not represent that she is a lawyer; therefore, she cannot file this civil action or motions in it on behalf of Mr. Mason. *See, e.g.*, Fed. R. Civ. P. 11 ("Every pleading, written motion, and other paper must be signed by at least one attorney of record in the attorney's name—or by a party personally if the party is unrepresented."); *Georgakis v. Illinois State Univ.*, 722 F.3d 1075, 1077 (7th Cir. 2013) (a "nonlawyer can't handle a case on behalf of anyone except himself").

Accordingly, **the Clerk is directed to strike** the Complaint and attachments, Dkts. [1], [1-1], and [1-2], and the Motion for leave to proceed *in forma pauperis*, Dkt. [2].

## II. DIRECTING FURTHER PROCEEDINGS

If Mr. Mason seeks to pursue a civil action, **he alone must file and sign an operative complaint by no later than Friday, May 10, 2024.** The complaint must (a) contain a short and plain statement of the claim showing that the plaintiff is entitled to relief, which is sufficient to provide the defendant(s) with fair notice of the claim and its basis; (b) include a demand for the

---

<sup>1</sup> The 146-page pleading contains a Complaint with attachments and numerous exhibits. Dkt. 1, Dkt. 1-1, Dkt. 1-2. To the extent these exhibits indicate that Mr. Mason claims to be a "sovereign citizen" or "natural person" not subject to the laws of Indiana or the United States, the Court cautions Mr. Mason that such claim is "shop worn" and frivolous." *See United States v. Hilgeford*, 7 F.3d 1340, 1342 (7th Cir. 1993); *see also United States v. Toader*, 409 F. App'x 9, at \*13 (7th Cir. Nov. 24, 2010) (rejecting argument that court lacked jurisdiction over defendant claiming to be "Native Asiatic Moorish National Citizen" since laws of the United States "apply to all persons within its borders.").

relief sought; and (c) identify what injuries he claims to have suffered and what persons are responsible for each such injury. Any complaint should have the proper case number, 1:23-cv-02148-TWP-TAB, and the word "Complaint" on the first page. And it must set out every defendant, claim, and factual allegation the plaintiff wishes to pursue in this action. If Mr. Mason files a complaint on his own behalf, it will be screened pursuant to 28 U.S.C. § 1915A(b).

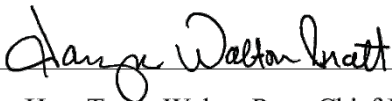
Further, if Mr. Mason files a complaint, he must either pay the \$405.00 filing fee for this action or demonstrate that he lacks the financial ability to do so by filing a motion for leave to proceed without the prepayment of the filing fee (*in forma pauperis*). If he files a motion to proceed *in forma pauperis*, the motion must be accompanied by a copy of the transactions associated with his institution trust account for the six-month period preceding the filing of this action. Mr. Mason shall have **through Friday, May 10, 2024, to either pay the filing fee or file a motion** for leave to proceed *in forma pauperis*.

**The Clerk is directed to send to Mr. Mason** a copy of the prisoner civil rights complaint form and a blank form motion to proceed *in forma pauperis*, at his address at New Castle Correctional Facility, along with his copy of this Order. **The Clerk is directed to terminate** Tara Michelle Milligan as a plaintiff in this action.

If Mr. Mason fails to take these steps, this action will be dismissed without further notice.

**SO ORDERED.**

Date: 4/12/2024

  
\_\_\_\_\_  
Hon. Tanya Walton Pratt, Chief Judge  
United States District Court  
Southern District of Indiana

DISTRIBUTION:

French Chester Mason, Jr. # 150073  
NEW CASTLE CORRECTIONAL FACILITY - Inmate Mail/Parcels  
1000 Van Nuys Road  
P.O. Box E  
New Castle, Indiana 47362

Tara Michelle Milligan  
French Chester Mason Trust  
1244 Edgemont Avenue  
Indianapolis, Indiana 46208